

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

FILED

DEC 16 2009


CLERK

UNITED STATES OF AMERICA,

* CR. 09-30011-RAL

Plaintiff,

-vs-

JEFFREY BETONE,

* REPORT AND RECOMMENDATION
* FOR DISPOSITION OF DEFENDANT'S
* MOTION TO SUPPRESS STATEMENTS

Defendant.

*

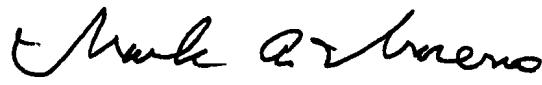
Defendant, Jeffrey Betone, has filed a Motion to Suppress Statements, Docket No. 47.

Because Defendant's Motion is a dispositive one, this Court is only authorized to determine the same on a report and recommendation basis. See 28 U.S.C. §636(b)(1). Based on the findings, authorities and legal discussion made on the record at the December 15, 2009 hearing, the Court hereby

RECOMMENDS that Defendant's Motion be denied in all respects.

Dated this 16th day of December, 2009, at Pierre, South Dakota.

BY THE COURT:



MARK A. MORENO
UNITED STATES MAGISTRATE JUDGE

ATTEST:

JOSEPH HAAS, CLERK

BY: Sarah Heberle
Deputy

(SEAL)

NOTICE

Failure to file written objections to the within and foregoing Report and Recommendations for Disposition within fourteen (14) days from the date of service shall bar an aggrieved party from attacking such Report and Recommendations before the assigned United States District Judge. See 28 U.S.C. § 636(b)(1).